

SECTION 4.0 DIMENSIONAL REQUIREMENTS

4.1 GENERAL REQUIREMENTS

4.1.1 Tables of Dimensional Requirements. All residential structures shall conform to the dimensional regulations set forth in Table 4-1. All nonresidential structures shall conform to the dimensional regulations set forth in Table 4-2.

Table 4-1 DIMENSIONAL REGULATIONS FOR USES IN RESIDENTIAL AND NEIGHBORHOOD BUSINESS DISTRICTS									
DISTRICT/ USE	AREA (sq. ft.)	FRONTAGE (ft.)	YARDS (ft.)			BUILDING HEIGHT		MINIMUM LOT WIDTH (ft.)	
			Front	Side	Rear	Stories	Feet	Distance from Street	Width
R-15 & Two family									
Single and Two-Family	15,000	100	25	15	30	2.5	35	50	67
Multi- family									
First 3 units	32,250	100	50	25	75	2.5	35	100	67
Additional unit	6,125								
Non- residential uses	32,250	125	50	50	75	2.5	35	100	67
R-40 & NB									
Single family	40,000	200	35	15	30	2.5	35	100	134
Residential Compound			See Section 8.2						
Open Space Residential Development			See Section 8.3						
Planned Development – S-1 District			See Section 9.1.8						
Non- residential uses	40,000	200	50	50	75	2.5	35	100	134

4.1.2 Notes to Table 4-1.

1. When the side yard of a multi-family structure abuts a single or two-family structure or vacant land, the minimum side yard shall be twenty five (25) feet and the minimum frontage shall be one hundred twenty-five (125) feet.
2. No more than eight (8) dwelling units are allowed on a lot.
3. The total height of a structure shall not exceed either thirty five (35) feet or two and one-half (2.5) stories, whichever is greater.
4. All yard requirements shall be measured from the property line of the parcel

Table 4-2 DIMENSIONAL REGULATIONS FOR USES IN NONRESIDENTIAL DISTRICTS									
DISTRICT	FRONTAGE (ft.)	YARDS (ft.)			BUILDING HEIGHT		MAXIMUM LOT COVERAGE	MINIMUM LOT WIDTH (ft.)	
		Front	Side	Rear	Stories	Feet		Distance from Street	Width
GB	0	15	0	20	2.5	35	85%	0	0
NB	25	50	10	35	2.5	35	75%	100	17
HB	100	50	25	50	3.0	40	70%	100	67
LI	50	50	25	50	3.0	40	70%	100	34
GI	50	50	25	50	3.0	40	70%	100	34
S-1	300	300	75	50	3.0	40	70%	150	200

4.1.3 Notes to Table 4-2.

1. When any front yard abuts a Residential District, it shall be a minimum of one hundred (100) feet except for nonresidential uses in the General Business District.
2. When a nonresidential use abuts a residential district, no off-street parking, storage of materials, or the display of goods is allowed within the required front yard except for nonresidential uses in the General Business District.
3. When any side or rear yard abuts a Residential District, it shall be a minimum of fifty (50) feet.
4. Height requirements can be increased pursuant to Section 4 of these By-Laws.
5. Minimum lot size within the S-1 District is 80,000 square feet.
6. Lots located in the S-1 District with frontage on streets other than Route One shall have a minimum of two hundred (200) feet of frontage.
7. See Section 9.1.8 for specific regulations pertaining to Planned Developments (PD S-1), and the creation of lots with one hundred (100) feet of frontage by Special Permit in the S-1 district.

8. All yard requirements shall be measured from the property line of the parcel.
9. Insofar as there may be inconsistencies between this Table 4-2 and the provisions of Section 9.5, the provisions of Section 9.5 shall govern.

4.1.4 One Dwelling Per Lot. Only one (1) dwelling structure shall be located on a lot, unless otherwise expressly permitted by these By-Laws.

4.1.5 Nonresidential Buildings. Two (2) or more nonresidential buildings may be located on a lot, provided that each building conforms to the dimensional and density requirements of these By-Laws. The lot shall meet minimum frontage requirements.

4.1.6 Yards. Every part of a required yard shall be open except for permitted accessory buildings or structures and the ordinary projection of sills, chimneys, ornamental features, and eaves, provided that no such projection shall extend into the minimum side yards more than twenty-four (24) inches. Unroofed entrance porches or terraces which do not rise above the height of the floor level of the ground floor may extend into a required yard space provided the area shall not exceed two hundred (200) square feet.

4.2 SPECIAL DIMENSIONAL REQUIREMENTS

4.2.1 Required Yards. Accessory buildings or structures may occupy not more than twenty-five (25%) percent of the rear yard in any Residential District and not more than forty (40%) percent of the rear yard in any non-Residential District.

4.2.2 Swimming Pools. A swimming pool as an accessory use to a single or two (2) family dwelling may be located to within fifteen (15) feet of a side or rear lot line.

4.2.3 Accessory Structures to Multifamily Structures. Accessory structures to existing multi-family structures shall only be allowed by Special Permit from the Board of Appeals; provided, that if the structure is shown on a Special Permit application to construct a multifamily structure, it may be approved as a part of that application.

4.2.4 Corner Lot. The following shall apply to corner lots:

1. The required frontage for a corner lot shall be provided on only one (1) street.
2. No detached accessory building shall be erected closer to any street than the principal building on the lot.
3. Yards abutting upon streets shall be considered front yards.
4. At the intersection of two or more streets, no hedge, fence or wall higher than three (3) feet, nor any obstruction to vision, shall be permitted on any lot within the triangular area formed by two (2) intersecting street lines bounding the lot and by a line connecting a point on each street line located twenty-five (25) feet from the point of intersection with the street lines.

- 4.2.5 Attached Garage.** A garage or carport attached to any side of a dwelling and constructed as a part of the dwelling shall be considered as a part of the dwelling and shall meet all requirements for front, side, or rear yards, and height of structure which apply to the dwelling.
- 4.2.6 Storage Structure.** A residential storage structure may be located to within five (5) feet of a side or rear lot line, while a detached residential garage shall be located a minimum of fifteen (15) feet from a side yard and thirty (30) feet from the rear lot line.
- 4.2.7 Swine.** No structure for the shelter of swine shall be located within one hundred (100) feet of any property line nor shall any structure for the shelter of any other farm livestock be located within fifty (50) feet of any property line.
- 4.2.8 Gasoline or Oil Facility.** No gasoline or oil facility shall be located within fifty (50) feet of any lot line.

4.3 ACCESS REQUIREMENTS

- 4.3.1 Access Through Frontage Required.** Access to all lots shall only be through or across its legal frontage. For corner lots, see Section 4.2.4. No "common driveways" are allowed unless otherwise provided for within these By-Laws.
- 4.3.2 Exception.** During the subdivision control process, the Planning Board has the discretion to allow access to a lot where that portion of the street comprising the frontage of the lot will not be fully constructed due to the granting of a waiver of construction.

4.4 BUILDING HEIGHT

- 4.4.1 Exceptions.** The height limitations of these By-Laws shall not apply to structures not used for human occupancy such as church spires, cupolas, chimneys, ventilators, skylights, water tanks, silos, necessary mechanical appurtenances usually carried above the roof level, such as elevator housings, nor to radio and television antennas.
- 4.4.2 Special Permit.** Upon the granting of a Special Permit pursuant to the requirements set forth in Section 10.4, any principal structure, in any Nonresidential District, may be erected to a height in excess of that specified in Table 4-2 but shall not exceed sixty (60) feet, nor more than four (4) stories.
- 4.4.3 Controlling Provision.** Insofar as the provisions of this Section 4.4 are in conflict with or are inconsistent with the provisions of Section 9.5, the provisions of Section 9.5 shall govern.

4.5 EXEMPTIONS

4.5.1 Structures in the Public Interest. The following structures, which in the opinion of the Building Commissioner are obviously intended to be located in the public interest and are not incongruous with the aesthetic standards of the surrounding area, shall be exempt from the minimum yard requirements: telephone booths and pedestals, underground utility equipment, mailboxes, bus shelters, flagpoles, fences, retaining walls, trash disposal units, or any similar structures.

4.5.2 Eminent Domain. Where the Town of Foxborough or other governmental agency acquires an interest in land by eminent domain or otherwise that is adjacent to an existing public way for the purpose of constructing or widening of the public way or sidewalks, then the following provisions shall apply to lots or buildings affected by any such street widening or sidewalk acquisition:

1. If the area of the lot, which prior to such acquisition conformed to these By-Laws, is reduced to an area less than is required by Section 4.1.1, then the area of such lot remaining after such acquisition shall be deemed in conformity with these By-Laws.
2. If a yard setback of a building, which prior to such acquisition conformed to these By-Laws, is reduced to a distance less than is required by Section 4.1.1, then the yard setbacks remaining after such acquisition shall be deemed to be in conformity with these By-Laws.
3. If the frontage of the lot, which prior to such acquisition conformed to these By-Laws, is reduced to a frontage less than is required by Section 4.1.1, then the frontage of such lot remaining after such acquisition shall be deemed in conformity with these By-Laws.